

# **EXHIBIT A**

**ORIGINAL**

**Yuma Justice Court First Precinct**  
**In and For the County of Yuma, State of Arizona**  
**250 W. 2<sup>nd</sup> Street, Suite A**  
**Yuma, AZ 85364 (928) 817-4100**

**PLAINTIFF**

Charles A. Guldien  
 11802 E. 28<sup>th</sup> Pl  
 Yuma, AZ 85367

Case No:

**J1401CV2022-269****SUMMONS**

-vs-

**CIVIL****DEFENDANT**

MAV Nutrition LLC  
 c/o Bryan J. Rush, Registered Agent  
 2 South Biscayne Blvd, Suite 2600  
 Miami, FL 33131

**THE STATE OF ARIZONA TO THE ABOVE NAMED DEFENDANT(S):**

1. You are summoned to respond to this complaint by filing an answer with this court and paying the court's required fee. If you cannot afford to pay the required fee, you can request the court to waive or to defer the fee.
2. If you were served with this summons in the State of Arizona, the court must receive your answer to the complaint within **twenty (20) calendar days from the date you were served**. If you were served outside the State of Arizona, the court must receive your answer to the complaint within **thirty (30) days from the date of service**. If the last day is a Saturday, Sunday, or holiday, you will have until the next working day to file your answer. When calculating time, do not count the day you were served with the summons.
3. This court is located at: **250 W. 2<sup>nd</sup> Street, Suite A, Yuma, AZ 85364.**
4. Your answer must be in writing. (a) You may obtain an answer form from the court listed above, or on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may visit <http://www.azturbocourt.gov/> to prepare your answer electronically, this requires payment of an additional fee. (c) You may also prepare your answer on a plain sheet of paper, but your answer must include the case number, the court location, and the names of the parties.
5. You must provide a copy of your answer to the plaintiff(s) or to the plaintiff's attorney.

**IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU, AS REQUESTED IN THE PLAINTIFF(S) COMPLAINT.**

Date: **FEB 22 2022**

  
 Judge's Signature THE PEACE



{COURT SEAL}

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE BEFORE A COURT PROCEEDING.**

**Notice to the Defendant: A lawsuit has been filed against you in Justice Court!**  
**You have rights and responsibilities in this lawsuit. Read this notice carefully.**

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRCP") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant." You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state.) If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/>, under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.



FILED

2022 FEB 22 PM 3:10

YUMA JUSTICE COURT  
FIRST PRECINCT

Charles A. Gulden  
11802 E. 28<sup>th</sup> Place  
Yuma, AZ 85367  
Phone: 928-782-5182  
Email: chasinyuma@hotmail.com

**IN THE YUMA COUNTY JUSTICE COURT**

**STATE OF ARIZONA**

**CHARLES A. GULDEN,**  
Plaintiff,

Case No. J1401CV2022- 269

vs.

**COMPLAINT**

**MAV NUTRITION LLC,**  
Defendant.

**JURISDICTION AND VENUE**

1. This claim arises from tort and is made pursuant to the federal Telephone Consumer Protection Act (TCPA), 47 U.S.C. §227, and its Federal Communications Commission (FCC) TCPA implementing regulation, 47 C.F.R. §1200.

2. Plaintiff, Charles A. Gulden, resides in Yuma County, Arizona. Defendant, MAV Nutrition LLC is a Florida entity that conducts business in and into the state of Arizona. All acts complained of herein occurred on Plaintiff's personal cell phone located in Yuma County, Arizona.

**FACTUAL ALLEGATIONS**

3. On or about 2 February 2022 Defendant or Defendant's employee, agent or

1 party acting on behalf of the Defendant initiated a robotext message from SMS  
2 Short Code 63566 to Plaintiff's personal cell phone number ending in 0080 for the  
3 purpose of soliciting for its nutritional products.  
4

5 4. Plaintiff had not provided Defendant with his prior express consent to  
6 transmit its robotext to his cell phone.

7 5. The complained of text was not for emergency purposes and not made  
8 to collect debts owed to or guaranteed by the United States.  
9

10 6. For more than thirty-one (31) days prior to Defendant's text the Plaintiff's  
11 cell telephone number was also registered on the national Do Not Call Registry in  
12 which the federal government documents the telephone numbers of persons who do  
13 not wish to receive such telephone solicitations or texts.  
14

15 7. The complained of text was an unwelcome annoyance, distraction and  
16 disturbance to Plaintiff and invasion of Plaintiff's privacy, unnecessarily utilizing  
17 Plaintiff's cell phone line, and consuming Plaintiff's time and attention to receive  
18 and deal it.  
19

#### 20 TCPA VIOLATION I

21 8. Plaintiff incorporates by reference all of the above paragraphs of this  
22 Complaint as though fully stated herein.  
23

24 9. The complained of text initiated by or on behalf of the Defendant  
25 constitutes negligent violation of the TCPA pursuant to 47 U.S.C. § 227(b)(1)(A)(iii),  
26 in that it was initiated to the Plaintiff's cell phone without his prior express  
27 consent.  
28

1 **Plaintiff further claims post judgment interest, court costs and other expenses in**  
2 **connection with this case.**

3  
4 **JURY DEMAND**

5 **16. Plaintiff respectfully requests trial by jury.**

6 Dated this 22<sup>nd</sup> day of February, 2022.

7  
8   
9 Charles A. Gulden

# **EXHIBIT B**

**Public Access to Court Information - Case Search****Case Information**

<b>Case Number:</b>	<b>J-1401-CV-2022000269</b>	<b>Category:</b>	Civil
<b>Title:</b>	CHARLES A GULDEN vs MAV NUTR	<b>Filing Date:</b>	2/22/2022
<b>Court:</b>	Yuma Justice	<b>Disposition Date:</b>	
<b>Judge:</b>			

<b>CHARLES A GULDEN</b>	PLAINTIFF - P 1
<b>MAV NUTRITION LLC</b>	DEFENDANT - D 1

**Case Activity**

Date	Description	Party
2/22/2022	Case Initiated - COMPLAINT	D 1
2/22/2022	Case Initiated - COMPLAINT	D 1
2/22/2022	Folder Created	D 1
2/22/2022	Case Initiated - COMPLAINT	P 1
2/22/2022	Case Initiated - COMPLAINT	P 1
2/22/2022	Receivable Created For \$83.00	P 1
2/22/2022	Receivable Created For \$83.00	P 1
2/22/2022	Receipt# P00063376 generated for the amount of \$ 83.00	P 1
2/22/2022	Case Initiated - COMPLAINT	D 1
2/22/2022	Case Initiated - COMPLAINT	P 1

**Document Search**

For access to criminal and civil court documents in the Superior Court visit the [eAccess portal](#).  
For more information about the eAccess portal please visit: <https://www.azcourts.gov/eaccess>.

**NOTES:**

**Internet Explorer 10 Users: Case details will not display properly unless you switch to Compatibility View. How?**

**The following case types are excluded from search results:** sealed cases, cases involving un-served Orders of Protection, mental health and probate cases, victim and witness data. Juvenile incorrigible/delinquency case information also cannot be viewed on this website; however other types of cases in which juveniles are parties, such as traffic cases, may be displayed. Certain administrative functions carried out by superior court clerk's offices in each county are not included in this website, such as passport application processing and private process server registration.

**Charges stemming from local ordinance violations are not included.**

**Please be aware of the following limitations of the case records displayed:**

- The information may not be a current, accurate, or complete record of the case.
- The information is subject to change at any time.
- The information is not the official record of the court.
- Not all cases from a participating court may be included.
- The information should not be used as a substitute for a thorough background search of official public records.

**The user is responsible for verifying information provided on this website against official court information filed at the court of record.**

Use of this website shall indicate agreement by the user that the Arizona judiciary, including its courts, divisions, officers, and employees, shall not be liable for any loss, consequence, or damage resulting directly or indirectly from the use of any of the information available through this website and that the Arizona judiciary does not provide any warranty, express or implied, that the information provided is accurate, current, correct, or complete.

Data available on this web site is updated frequently and can be provided via electronic media for an annual subscription fee. If interested, please [Contact Us](#).

**Case info is updated on this website weekly. Information is updated each Friday to reflect case information through the Wednesday of the same week.**